



REPORT TO THE MUNICIPAL PLANNING COMMISSION

October 10, 2019

Agenda Item	
Application No.	117/19
Proposed Development	outdoor recreation facility <i>*expansion of previous approval</i> <i>*known as Lacombe Corn Maze Inc.</i>
Legal Description	Lot 1 Block 1 Plan 142 2388 (Pt. SE 21-40-27-W4M)
Titled Area	16.109 hectares (39.81 acres)
Zoning	Agricultural 'A' District
Applicants	Lacombe Corn Maze Inc.
Landowners	E.L.K. Farms Ltd.

BACKGROUND

Lacombe Corn Maze Inc. is seeking development approval to continue operating the outdoor recreation facility on Lot 1 Block 1 Plan 142 2388, Pt. SE 21-40-27-W4M. The facility is also known as the Kraay Family Farm. The facility is an agritainment business, with a 15-acre corn maze, a 2-acre sunflower maze, onsite games, activities, concession, and picnic areas. It has been open for 20 years to let the public enjoy a family/friend time together in a relaxed, farm atmosphere. The previous maximum attendance on one day was approximately 2500 people.

The application includes two (2) resident on-site employees, and fifteen (15) non-resident on-site employees.

The hours of operation are:

Mid-May to June 30: daytime field trips for groups

Mid-July to August 30: Monday to Saturday, 10 am - 9 pm

September 1 – October 31: Tuesday - Thursday, daytime school groups

Tuesday - Thursday, 4 - 9 pm

Friday and Saturday, 10 am - 10 pm

Closed Sundays and Mondays, but open Holiday Mondays

Traffic expected to be generated is:

July/August – weather dependent, 100-300 cars/day

September/October – weather dependent,

Fridays 250/300 cars/day,

Saturdays 400-500 cars/day,

daytimes/evenings/Tuesday-Thursday, 50-100 cars/day

There is approximately 5 acres of parking on site.

The concession sells a mixture of fried foods, and currently has Alberta Health Services approval.

An identification sign is located at the entrance to the property.

Eight (8) portable toilet washrooms are provided in a central location.

During off season, everything is stored in the storage barns.

The applicants indicated they speak with the neighbours regularly and are on good terms, even during off season. The applicants ensure Range Road 27-3 has calcium chloride applied for dust. Any speakers remain at a level only heard on the farm.

POLICY CONSIDERATIONS

The facility is considered an 'outdoor recreation facility' which is a discretionary use in the County's Land Use Bylaw under the Agricultural 'A' District, and requires approval from the MPC.

An outdoor recreation facility is defined as facilities which are available to the public for sports and active recreation conducted outdoors. Typical uses include driving ranges, miniature golf courses, sports fields, outdoor ice surfaces or rinks, go-cart tracks, amusement parks, outdoor swimming pools, water slides, marinas, equestrian centres, race tracks, fair/exhibition/rodeo grounds and golf courses.

The changes from the previous approval include a new accessory structure (672 ft² the 'Corn Barn' already on site), seven (7) additional non-resident on-site employees, additional traffic and an increase in parking area.

CIRCULATION RESPONSE

The County's Operations Department has no issues with the proposed development at this location. Access is adequate, and the proposed traffic generated by the business should not affect the surrounding infrastructure.

The County's Fire Service has provided the following comments:

- The application has experienced significant growth and change since last permitted and as a result will have to complete, and submit for review, an Emergency Response Plan. This plan should be reviewed on an annual basis and, when changes are made on site, resubmitted to the County for review and approval to ensure the most up to date version is on file. Consideration should be given by the applicant for provision of first aid and emergency response training for all staff. Training should include a plan for allowing access for emergency vehicles and personnel in the event they are required on site.
- Additionally, any occupied structures on site will need to comply with the National Building Code (2019 Alberta edition) and the National Fire Code (2019 Alberta Edition). This will include the concession building, particularly as it applies to any cooking operations. This building should also have Alberta Health Services approval for food service.

Alberta Transportation offers no objections in principle but indicated if it is found the volume of traffic generated by the business creates an unacceptable safety hazard to the highway traffic, the County will be responsible for intersection improvements to ensure the safe operation of the highway intersection.

Staff has not invited neighbouring property owners to comment on the application. Neighbours will be informed if the MPC approves this application and advised of their right to appeal the decision if they have any concerns.

ANALYSIS

The property is located in the Agricultural 'A' District, and the facility provides family friendly opportunities for the public to enjoy the farm atmosphere. The facility has been operating for over 20 years with no known issues, and the proposed expansion is not expected to create further conflict with the surrounding land owners.

An Emergency Response Plan will be required with the intent to ensure attendees

are safe and the applicants are prepared in the event of an emergency.

Confirmation is required that any occupied structures on site comply with the National Fire Code (2019 Alberta Edition).

Alberta Health Services approvals are required for the concession.

Proof of insurance with Lacombe County shown as Additional Named Insured will be required, in the minimum coverage amount of \$2,000,000.

STAFF RECOMMENDATION

APPROVE the application, subject to the following conditions:

1. term of development permit to be for five (5) years
2. this approval shall be subject to annual review by the Development Officer. Failure to comply with the conditions of development permit may result in the permit being suspended or revoked
3. **prior to the issuance of a development permit**, the applicant shall submit an Emergency Response Plan to the County's satisfaction. Further, an updated Emergency Response Plan shall be required as a condition of annual review
4. **prior to the issuance of a development permit**, the applicant shall retain an accredited safety codes officer to inspect any occupied building for compliance with the Alberta Building Code for the intended use. The written correspondence (including any applicable permits pursuant to the Alberta Building Code) from an accredited safety codes agency/officer shall be provided to the County, confirming that the buildings are compliant with the Alberta Building Code for the intended use
5. **prior to the issuance of a development permit**, all necessary Alberta Health Services approvals are to be submitted to the County. Further, updated Alberta Health Services approvals shall be required as a condition of annual review
6. **prior to the issuance of a development permit**, the applicant shall be required to provide proof of the insurance policy obtained for the facility. The

insurance policy must be to the satisfaction of Lacombe County. Further, valid insurance shall be required as a condition of annual review

7. activities at the site shall adhere to the description of the facility provided with the development application and the site plan. A further development application is required for any changes, including any new buildings or additions to existing structures
8. facility to be operated at all times in a manner that does not cause nuisance for surrounding residents due to noise, excessive traffic, or anything else of dangerous or objectionable nature as determined by and at the sole discretion of Lacombe County
9. the applicants shall install a STOP sign for traffic leaving the proposed site. The sign is to be placed on private property and not within the County Right-of-Way
10. all traffic shall be directed to access the property from Highway 12 directly south on Range Road 27-3. Traffic must also follow this route when leaving the facility. No other County roads are to be used to access the property unless in case of emergency
11. the applicant shall be required to carry out any maintenance and/or repairs to Range Road 27-3 that the County may deem necessary as a result of the traffic generated by the facility, at no cost to the County and to the satisfaction of the County
12. if, in the opinion of the County, traffic generated by the operation of the facility causes dust problems or other safety concerns, applicant will be required to improve road access from Highway 12 to property to the satisfaction of County and at no cost to County. This could include upgrades to the local road, upgrades to the intersection with Highway 12, and/or a requirement for dust control
13. the site to be kept at all times in a neat and tidy condition
14. the applicant is responsible for ensuring that adequate emergency/medical provisions are in place

15. the applicant is responsible for obtaining all necessary permits from other government and non-government agencies
16. no changes to the sign or location of the same, unless prior approval has been obtained from Lacombe County
17. sign to be maintained in proper state of repair
18. if not kept in acceptable condition, sign must be removed or repaired by applicant within seven (7) days of receiving notice of deficiency. Otherwise sign will be removed by county at applicant's expense

It is the responsibility of the applicants to ensure that the proposed development meets the requirements of the provincial Safety Codes Act and the associated Regulations.

MPC DECISION

PREPARED BY: Cajun Paradis, Planner/Development Officer



REVIEWED BY: Dale Freitag, Director of Planning Services



REVIEWED BY: Tim Timmons, County Manager

